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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,144	02/17/2004	Aaron Sauve	307917.01	2246

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	EXAMINER
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ART UNIT	PAPER NUMBER
2132	

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/780,144	SAUVE ET AL.
	Examiner	Art Unit	
	Jung Kim	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL.** 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-66</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-66</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

KAMBIZ ZAND
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2/04</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-66 are pending.

Information Disclosure Statement

2.   The IDS submitted on 2/17/04 has been considered.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4.   Claims 21-35 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter. Claims 21-35 are not limited to tangible embodiments. In view of applicant's disclosure, paragraph 0092, a computer readable medium is not limited to tangible embodiments, instead being defined as intangible embodiments (e.g. signal or carrier wave). As such the claim is not limited to statutory subject matter and is therefore non-statutory.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Touboul USPN 6,092,194. (hereinafter Touboul)

7.   As per claim 1, Touboul discloses a method, comprising: detecting an object associated with a web page; assessing which of plural trust levels is to be accorded to the object; and suppressing the object based on the accorded trust level. (fig. 6A and related text)

8.   As per claim 2, Touboul further discloses wherein the object is one of a COM object or an ActiveX control. (col. 1:66)

9.   As per claim 3, Touboul further discloses wherein the object is embedded in the web page, and includes any one of downloadable code, a link to a URL, a popup window, graphic data, a video file, an audio file, and a text file. (col. 1:60-2:10)

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11.   Claims 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Touboul.

12.   As per claim 4, the rejection of claim 1 under 35 USC 102(b) as being anticipated

by Touboul is incorporated herein. (supra) In addition, Touboul discloses the object

includes any one of downloadable code, a URL, a popup window, graphic data, a video

file, an audio file, and a text file. Touboul does not disclose the object is a link to an

object on a remote server. However, it is notoriously well known for objects to be

incorporated into an html web page as a link to an object on a remote server. For

example, the HTML specification defines an object tag to incorporate a remote object

into a web page via a URI attribute to indicate the location of the object. This feature

enables, inter alia, logical and physical separation of the parts of a web page, which

allows efficient uploading of the portions of the web page specific to the type of

information. Examiner takes Official notice of this teaching. Therefore, it would be

obvious to one of ordinary skill in the art at the time the invention was made for the

object to be a link to an object on a remote server. One would be motivated to do so to

implement good design fundamentals into the invention, including scalability and

separation of concerns. The aforementioned cover the limitations of claim 4.

13.   Claims 9-24, 28-39, 44-61 and 63-66 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Touboul in view of Pennell et al. US Patent Application

Publication No. 20030098883. (hereinafter Pennell)

14.   As per claim 9, the rejection of claim 1 under 35 USC 102(b) as being anticipated

by Touboul is incorporated herein. (supra) In addition, Touboul discloses the step of

assessing which of the plural trust levels is to be accorded to the object evaluates

criteria including whether the object is to be rendered and whether a download flag is

set. (col. 5:60-63; fig. 6A, reference no. 608) Touboul does not disclose the step of

suppressing the object includes displaying a prompt to indicate the suppression of the

object based upon a positive evaluation of any of the criteria. Pennell discloses a

method for blocking "bad" windows and displaying "good" windows, wherein a window

analyzer identifies whether a window is "good" or "bad" based on a list having

characteristics of the window, including the source of the window (paragraph 0043), and

wherein when a "bad" window is identified, blocking the window and displaying a prompt

to indicate the suppression of the window based on this identification. (paragraph 0081)

It would be obvious to one of ordinary skill in the art at the time the invention was made

for the step of suppressing the object to include displaying a prompt to indicate the

suppression of the object based upon the positive evaluation of any of the criteria. One

would be motivated to do so for a user-friendly manner of informing the user of a

preventive measure by the invention. The aforementioned cover the limitations of claim

9.

15.   As per claim 10, the rejection of claim 9 under 35 USC 103(a) as being

unpatentable over Touboul in view of Pennell is incorporated herein. (supra) In addition,

the prompt is a modal prompt to provide a user with an activation choice. (paragraph 0081, last sentence).

16.   As per claim 11, the rejection of claim 9 under 35 USC 103(a) as being unpatentable over Touboul in view of Pennell is incorporated herein. (supra) In addition, the prompt is a modeless prompt to advise a user of the object being suppressed. (paragraph 0081, 5th sentence)

17.   As per claim 12, the rejection of claim 9 under 35 USC 103(a) as being unpatentable over Touboul in view of Pennell is incorporated herein. (supra) In addition, the prompt is a modeless prompt to advise a user of the object being suppressed and to provide the user with an activation choice. (paragraph 0081, 5th and 6th sentence)

18.   As per claim 13, the rejection of claim 1 under 35 USC 102(b) as being anticipated by Touboul is incorporated herein. (supra) Touboul does not disclose the step of assessing which of the plurality of trust levels is to be accorded to the object is based on whether the object is a popup window, and the step of suppressing the object includes displaying a prompt to indicate the suppression of the object based upon a positive determination. Pennell discloses it is desirous to block certain popup windows to prevent annoyances to a user browsing experience and discloses a method for blocking "bad" popup windows and displaying "good" popup windows, wherein a window analyzer identifies whether a window is "good" or "bad" based on a list having

characteristics of the window, including the source of the window (paragraphs 0006-

0008 and 0043), and wherein when a "bad" window is identified, blocking the window

and displaying a prompt to indicate the suppression of the window based upon a

positive determination. (paragraph 0081) It would be obvious to one of ordinary skill in

the art at the time the invention was made for the step of assessing which of the

plurality of trust levels is to be accorded to the object is based on whether the object is a

popup window, and the step of suppressing the object includes displaying a prompt to

indicate the suppression of the object based upon a positive determination. One would

be motivated to do so to block unwanted popups from cluttering the screen and for

generating a user-friendly manner of informing the user of a preventive measure by the

invention. The aforementioned cover the limitations of claim 13.

19.   As per claim 14, the rejection of claim 13 under 35 USC 103(a) as being

unpatentable over Touboul in view of Pennell is incorporated herein. (supra) In addition,

the prompt is a modeless prompt to advise a user of the object being suppressed.

(paragraph 0081, 5th sentence)

20.   As per claim 15, the rejection of claim 13 under 35 USC 103(a) as being

unpatentable over Touboul in view of Pennell is incorporated herein. (supra) In addition,

the prompt is a modeless prompt to advise a user of the object being suppressed and to

provide the user with an activation choice. (paragraph 0081, 5th and 6th sentence)

21.   As per claim 16, the rejection of claim 1 under 35 USC 102(b) as being

anticipated over Touboul is incorporated herein. (supra) Touboul further discloses the

step of assessing which of the plural trust levels is to be accorded to the object

evaluates criteria including whether the object is beneath a security setting and whether

a security setting flag is set (fig. 6A, reference nos. 614, 618, 620) Touboul does not

disclose the step of suppressing the object includes displaying a prompt to indicate the

suppression of the object based upon a positive evaluation of any of the criteria.

Pennell discloses a method for blocking "bad" windows and displaying "good" windows,

wherein a window analyzer identifies whether a window is "good" or "bad" based on a

list having characteristics of the window, including the source of the window (paragraph

0043), and wherein when a "bad" window is identified, blocking the window and

displaying a prompt to indicate the suppression of the window based on this

identification. (paragraph 0081) It would be obvious to one of ordinary skill in the art at

the time the invention was made for the step of suppressing the object to include

displaying a prompt to indicate the suppression of the object based upon the positive

evaluation of any of the criteria. One would be motivated to do so for a user-friendly

manner of informing the user of a preventive measure by the invention. The

aforementioned cover the limitations of claim 16.

22.   As per claim 17, the rejection of claim 16 under 35 USC 103(a) as being

unpatentable over Touboul in view of Pennell is incorporated herein. (supra) In addition,

the prompt is a modal prompt to provide a user with an activation choice. (paragraph

0081, last sentence).

23.   As per claim 18, the rejection of claim 16 under 35 USC 103(a) as being

unpatentable over Touboul in view of Pennell is incorporated herein. (supra) In addition,

the prompt is a modeless prompt to advise a user of the object being suppressed.

(paragraph 0081, 5th sentence)

24.   As per claim 19, the rejection of claim 16 under 35 USC 103(a) as being

unpatentable over Touboul in view of Pennell is incorporated herein. (supra) In addition,

the prompt is a modeless prompt to advise a user of the object being suppressed and to

provide the user with an activation choice. (paragraph 0081, 5th and 6th sentence)

25.   As per claim 20, the rejection of claim 1 under 35 USC 102(b) as being

anticipated over Touboul is incorporated herein. (supra) Touboul does not disclose the

step of suppressing the object includes displaying a user interface to describe the

content of the suppressed object and to provide a user with an opportunity to activate

the content of the suppressed object. Pennell discloses a method for blocking "bad"

windows and displaying "good" windows, wherein a window analyzer identifies whether

a window is "good" or "bad" based on a list having characteristics of the window,

including the source of the window (paragraph 0043), and when a "bad" window is

identified, blocking the window and displaying a prompt to indicate the suppression of

the window based on this identification; this prompt includes a dialog box listing all the

"bad" windows that have been blocked and clicking on a listed blocked window would

then allow that window to be displayed. (paragraph 0081) It would be obvious to one of

ordinary skill in the art at the time the invention was made for the step of suppressing

the object includes displaying a user interface to describe the content of the suppressed

object and to provide a user with an opportunity to activate the content of the

suppressed object. One would be motivated to do so for a user-friendly manner of

informing the user of a preventive measure by the invention and allowing the user to

override the action if the user deems the action unnecessary as disclosed by Pennell,

ibid. The aforementioned cover the limitations of claim 20.

26.   As per claims 21-23, the rejection of claims 1-3 under 35 USC 102(b) as being

anticipated by Touboul is incorporated herein. (supra) In addition, Touboul does not

disclose the step of providing an activation opportunity for the action. Pennell discloses

a method for blocking "bad" windows and displaying "good" windows, wherein a window

analyzer identifies whether a window is "good" or "bad" based on a list having

characteristics of the window, including the source of the window (paragraph 0043), and

wherein when a "bad" window is identified, blocking the window and displaying a prompt

to indicate the suppression of the window based on this identification. In addition, the

prompt provides a listing of all the blocked "bad" windows, wherein clicking on a listed

blocked window would then allow that window to be displayed. (paragraph 0081) It

would be obvious to one of ordinary skill in the art at the time the invention was made

for the step of suppressing the object to include displaying a prompt to indicate the

suppression of the object based upon the positive evaluation of any of the criteria. One

would be motivated to do so for a user-friendly manner of informing the user of a

preventive measure by the invention and allowing the user to override the action if the

user deems the action unnecessary as disclosed by Pennell, ibid. The aforementioned

cover the limitations of claims 21-23.

27.   As per claims 24 and 28-35, they are claims corresponding to claims 4 and 9-21,

and it does not teach or define above the information claimed in claims 4 and 9-21.

Therefore, claim 24 and 28-35 are rejected as being unpatentable over Touboul in view

of Pennell for the same reasons set forth in the rejections of claims 4 and 9-21.

28.   As per claims 36-39 and 44-55, they are apparatus claims corresponding to

claims 21-24 and 28-35, and they do not teach or define above the information claimed

in claims 21-24 and 28-35. Therefore, claims 36-39 and 44-55 are rejected as being

unpatentable over Touboul in view of Pennell for the same reasons set forth in the

rejections of claims 21-24 and 28-35.

29.   As per claims 56-61 and 63-66, they are means claims covered by the

disclosures discussed in the rejections of claims 21-24 and 28-35, and they do not

teach or define above the information outlined in the rejections of claims 21-24 and 28-

35. Therefore, claims 56-61 and 63-66 are rejected as being unpatentable over

Touboul in view of Pennell for the same reasons set forth in the rejections of claims 21-24 and 28-35.

30.   Claims 5-8, 25-27, 40-43 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul in view of Shaw USPN 6,341,373 (hereinafter Shaw) and Pennell.

31.   As per claim 5, the rejection of claim 1 under 35 USC 102(b) is incorporated herein. (supra) In addition, Touboul discloses the step of assessing which of the plural trust levels is to be accorded to the object evaluates criteria including whether the object is from a trusted source and whether a download flag is set (fig. 6A, reference nos. 608 and 616). Touboul does not disclose the step of assessing which of the plural trust levels is to be accorded to the object evaluates a criteria including whether the object is to upgrade an existing object. Shaw discloses a method for secure downloading and upgrading of data, wherein an updater is located and received by a client device, and wherein a digital signature or digital digest is compared with a known digital signature data. (col. 4:19-35) It would be obvious to one of ordinary skill in the art at the time the invention was made for the criteria to include whether the object is to upgrade an existing object, since this enables the client device prompt for checks to confirm trustworthiness of an updater. (Shaw, col. 1:25-2:14)

32.   Finally, Touboul does not disclose the step of suppressing the object includes displaying a prompt to indicate the suppression of the object based upon a positive

evaluation of any of the criteria. Pennell discloses a method for blocking "bad" windows

and displaying "good" windows, wherein a window analyzer identifies whether a window

is "good" or "bad" based on a list having characteristics of the window, including the

source of the window (paragraph 0043), and wherein when a "bad" window is identified,

blocking the window and displaying a prompt to indicate the suppression of the window

based on this identification. (paragraph 0081) It would be obvious to one of ordinary

skill in the art at the time the invention was made for the step of suppressing the object

to include displaying a prompt to indicate the suppression of the object based upon the

positive evaluation of any of the criteria. One would be motivated to do so for a user-

friendly manner of informing the user of a preventive measure by the invention. The

aforementioned cover the limitations of claim 5.

33.   As per claim 6, the rejection of claim 5 under 35 USC 103(a) as being

unpatentable over Touboul in view of Shaw and Pennell is incorporated herein. (supra)

In addition, the prompt is a modal prompt to provide a user with an activation choice.

(paragraph 0081, last sentence).

34.   As per claim 7, the rejection of claim 5 under 35 USC 103(a) as being

unpatentable over Touboul in view of Shaw and Pennell is incorporated herein. (supra)

In addition, the prompt is a modeless prompt to advise a user of the object being

suppressed. (paragraph 0081, 5th sentence)

35.   As per claim 8, the rejection of claim 5 under 35 USC 103(a) as being

unpatentable over Touboul in view of Shaw and Pennell is incorporated herein. (supra)

In addition, the prompt is a modeless prompt to advise a user of the object being

suppressed and to provide the user with an activation choice. (paragraph 0081, 5th and

6th sentence)

36.   As per claim 25-27, they are claims corresponding to claims 5-8 and 21, and they

do not teach or define above the information claimed in claims. Therefore, claims 25-27

are rejected as being unpatentable over Touboul in view of Shaw and Pennell for the

same reasons set forth in the rejections of claims 5-8 and 21.

37.   As per claims 40-43, they are claims corresponding to claims 5-8 and 36, and

they do not teach or define above the information claimed in claims 5-8 and 36.

Therefore, claims 40-43 are rejected as being unpatentable over Touboul in view of

Shaw and Pennell for the same reasons set forth in the rejections of claims 5-8 and 36.

38.   As per claim 62, it is a means claim covered by the disclosures discussed in the

rejections of claim 40, and it does not teach or define above the information outlined in

the rejection of claim 40. Therefore, claim 62 is rejected as being unpatentable over

Touboul in view of Shaw and Pennell for the same reasons set forth in the rejection of
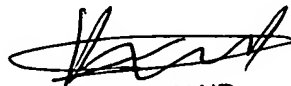
claim 40.

Conclusion

39.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

40.   See enclosed PTO-892.

Communications Inquiry

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jung W. Kim whose telephone number is 571-272-3804.

The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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Art Unit 2132